



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,911	02/02/2001	Yasuo Nomura	202552US6	8104
22850	7590	06/30/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			TRAN, THAI Q	
1940 DUKE STREET			ART UNIT	
ALEXANDRIA, VA 22314			PAPER NUMBER	
			2616	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,911

Applicant(s)

NOMURA ET AL.

Examiner

Thai Tran

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 15 objected to because of the following informalities: "5" in the first line of claim 15 should be changed to -9-. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2616

4. Claims 1, 5, 9, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanai et al (EP 0 640 897 A1) in view of Porter et al (US 5,263,032).

Regarding claim 1, Hanai et al discloses, as discussed in the last Office Action, an information processing apparatus (Fig. 1), comprising:

a clock (the internal clock of the video tape recorder disclosed in col. 6, lines 4-9) configured to supply time information used to manage an operation of the information processing apparatus;

a receiver (the microcomputer 22 of Fig. 1, col. 7, line 45 to col. 8, line 6 and col. 8, lines 35-51) configured to control reception of a broadcast signal;

detection unit (extracting the VBI time data disclosed in col. 7, lines 1-12 and in col. 8, lines 35-51) configured to detect predetermined information from the broadcast signal received by the receiver within a predetermined period of time based on the time information supplied by the clock; and

a processor (automatically setting the internal clock disclosed in col. 7, lines 13-44) configured to correct the time information supplied by the clock based on a result of the detection of the predetermined information by the detection unit. However, Hanai et al does not specifically disclose a memory configured to record a result of the correction of the time information performed by the processor.

Porter et al teaches a memory or disk 15 for logging all memory errors, as well as error or malfunction in other system component, so that components likely to fail can be replaced before a catastrophic system (col. 5, lines 15-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to the memory log as taught by Porter et al into Hanai et al's system in order to allow the service personnel to determined the cause of failures without having an in-depth knowledge of the system.

The method claim 5 is rejected for the same reasons as discussed in the corresponding apparatus claim 1 above.

The program storage medium claim 9 is met by the microcomputer 22 of Fig. 1, col. 7, line 45 to col. 8, line 6, as discussed in the corresponding apparatus claim 1 above.

Regarding claim 13, Porter et al also discloses the claimed wherein the memory is configured to store the result of a failure of the correction of time information when the correction of time information cannot be performed by the processor (a memory or disk 15 for logging all memory errors, as well as error or malfunction in other system component, so that components likely to fail can be replaced before a catastrophic system disclosed in col. 5, lines 15-32).

Method claim 14 is reject for the same reasons as discussed in claim 13 above.

A program storage medium claim 15 is rejected for the same reasons as discussed in claim 13 above.

Means plus functions claim 16 is rejected for the same reasons as discussed in apparatus claim 1.

Art Unit: 2616

5. Claims 2, 4, 6, 8, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanai et al (EP 0 640 897 A1) in view of Porter et al (US 5,263,032) as applied to claims 1, 5, and 9 above, and further in view of Baik et al (US 5,668,915).

Regarding claim 2, the proposed combination of Hanai et al and Porter et al discloses all the claimed limitations as discussed in claim 1 above except for providing a controller configured to display the result of the correction of the time information recorded in said the memory.

Baik et al teaches a similar a video cassette recorder having character display unit 14 for displaying the current time from the microcomputer 10 (col. 4, lines 35-49 and col. 7, lines 27-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the character display unit 14 as taught in Baik et al into Hanai et al's system in order to inform the user the current and corrected time of the day.

Regarding claim 4, the proposed combination of Hanai et al and Porter et al discloses all the claimed limitations as discussed in claim 1 above except for providing that, when the detection unit cannot detect the predetermined information the processor corrects the time information supplied from the clock based on the result of the correction of the time information recorded in the memory.

Baik et al also teaches that the internal clock is used when the current time transmitted in the video broadcasted signal is not received (col. 7, lines 50-63).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of using internal clock when the current time

Art Unit: 2616

transmitted in the video broadcasted signal is not received as taught by Baik et al into Hanai et al's system in order to minimize the error in setting the current time of the video tape recorder upon an interruption of power.

Method claims 6 and 8 are rejected for the same reasons as discussed in the corresponding apparatus claims 2 and 4 above.

The program storage medium claims 10 and 12 are rejected for the same reasons as discussed in the corresponding apparatus claims 2 and 4 above.

6. Claims 3, 7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanai et al (EP 0 640 897 A1) in view of Porter et al (US 5,263,032) and Baik et al (US 5,668,915) as applied to claims 2, 6, and 10 above, and further in view of Nishigaki et al (US 5,907,365).

Regarding claim 3, the combination of Hanai et al, Porter et al, and Baik et al discloses all the claimed limitations as discussed in claim 2 above including that the processor is configured to correct the time information supplied from the clock when the predetermined information is detected by the detection unit (automatically setting the internal clock disclosed in col. 7, lines 13-44) but except for providing that the controller is configured to control the display of a message representative of failure in correction of the time information when the correction of the time information cannot be performed.

Nishigaki et al teaches, in the time setting apparatus, the capability of displaying to the user that the time setting of the clock is impossible (col. 23-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of displaying the notice of impossible time setting

Art Unit: 2616

to the clock is displayed to the user as taught by Nishigaki et al into Hanai et al's system in order to inform the user that the time setting to the clock of the video tape recorder is impossible so that the user can determine other possible method to set the time of the clock of the video tape recorder.

The method claim 7 is rejected for the same reasons as discussed in the corresponding apparatus claim 3.

The program storage medium claim 11 is rejected for the same reasons as discussed in the corresponding apparatus claim 3.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2616

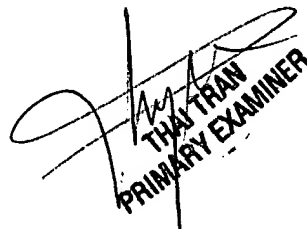
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725.

The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ


THAI TRAN
PRIMARY EXAMINER